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21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.  
25 Plaintiff,  
26 v.  
27 GOOGLE INC.  
28 Defendant.

Case No. CV 10-03561 WHA  
**DECLARATION OF ANDREW D.  
SILVERMAN IN SUPPORT OF  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL MOTION IN LIMINE #3  
RE DR. ASTRACHAN**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William H. Alsup

DECL. OF ANDREW D. SILVERMAN RE:  
ADMIN MOT. TO FILE UNDER SEAL RE:  
ORACLE'S MOTION IN LIMINE #3  
CV 10-03561 WHA

1 I, Andrew D. Silverman, declare and state as follows:

2 1. I am a member of the bars of the States of California, New York, and the District  
3 of Columbia, admitted to practice before this Court, and an associate with the law firm of Orrick,  
4 Herrington & Sutcliffe LLP (“Orrick”), attorneys of record for plaintiff Oracle America, Inc.  
5 (“Oracle”). I am familiar with the events, pleadings and discovery in this action and, if called  
6 upon as a witness, I could and would testify competently to the matters stated herein of my own  
7 personal knowledge.

8 2. I submit this declaration in support of Oracle’s Administrative Motion to File  
9 Under Seal Portions of Oracle’s Motion *In Limine* #3 Regarding Dr. Astrachan.

10 3. The following portions of Oracle’s motion summarize, quote from, or reproduce  
11 materials that have been designated by Google Inc. as “CONFIDENTIAL” or “HIGHLY  
12 CONFIDENTIAL – ATTORNEY’S EYES ONLY” pursuant to the Protective Order:

- 13 • Page 3, lines 1-3, the quotation following “Google agrees:”;
- 14 • Page 3, the bulleted quotes beginning at line 19 and ending at line 25;
- 15 • Page 5, the last word in line 13 through the last word in line 17;
- 16 • Page 5, the bulleted quotes beginning at line 23 and ending on Page 6, line  
17 7;
- 18 • Page 7, the first bulleted paragraph;
- 19 • Page 7, the last bulleted paragraph; and
- 20 • Page 8, the first full bulleted paragraph beginning on line 4 and ending on  
21 line 6.

22 4. I declare under penalty of perjury under the laws of the United States that the  
23 foregoing is true and correct.

24 Executed this 23rd day of March, 2016, at New York, NY.

25 /s/ Andrew D. Silverman

26 Andrew D. Silverman